

## Message Text

UNCLASSIFIED

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ACTION OES-06

INFO OCT-01 ARA-10 ISO-00 L-03 SMI-01 PA-02 PRS-01 USIA-15

CIAE-00 INR-07 NSAE-00 EB-08 COME-00 /054 W

-----311414Z 122551 /53

R 311200Z JAN 77

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC 9868

UNCLAS BRASILIA 0824

E.O. 11652: N/A

TAGS: EFIS BR

SUBJECT: BRAZILIAN WHALE LELISLATION

REF: (A) STATE 003632; (B) BRASILIA 8850 OF OCT 15, 1976

1. ON FURTHER RESEARCH ON THE SUBJECT MATTER, THE  
EMBASSY HAS FOUND OUT THE FOLLOWING:

A. THE BILL WHICH IS UNDER CONSIDERATION AT THE BRAZILIAN  
CHAMBER OF DEPUTIES (BILL NO. 2,291/1976) PROPOSES TO BAN  
WHALING IN THE BRAZILIAN TERRITORIAL WATERS FOR 10 YEARS.  
CONTRARY TO PRIOR INFORMATION OBTAINED BY THE EMBASSY AND  
PROVIDED IN REFTEL (B), THE CHAMBER'S JUSTICE COMMITTEE CONSIDERED  
THE BILL "UNJURIDICAL" (CONTRARY TO NORMAL JURIDICAL PROCEDURES).  
SINCE, HOWEVER, THE COMMITTEE DID NOT CONSIDER THE BILL UN-  
CONSTITUTIONAL, IT WAS SUBMITTED TO THE AGRICULTURE COMMITTEE  
FOR EXAMINATION. AT THE PRESENT TIME, THE BILL IS STILL UNDER  
CONSIDERATION BY THE AGRICULTURE COMMITTEE AND WILL  
SUBSEQUENTLY BE SUBMITTED TO THE PLENARY OF THE CHAMBER FOR  
FINAL DECISION.

B. TWO OTHER BILLS ON THE SAME SUBJECT WERE PROPOSED  
IN THE BRAZILIAN SENATE IN 1976.  
ONE OF THEM (BILL NO. 27 OF MARCH 1976) WAS CONSIDERED  
INCOSTITUTIONAL BY THE SENATE JUSTICE COMMITTEE AND  
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REJECTED BY THE PLENARY ON DECEMBER 2, 1976. THIS BILL  
PROPOSED BAN ON WHALING IN BRAZILIAN TERRITORIAL WATERS  
FOR 10 YEARS. THE OTHER BILL (NO. 248 OF SEPTEMBER 29,  
1976) SIMPLY PROPOSES THAT WHALING BE BANNED IN  
BRAZILIAN TERRITORIAL WATERS. IT IS CURRENTLY UNDER  
CONSIDERATION BY THE SENATE JUSTICE COMMITTEE, BUT THE  
CONGRESS WILL BE IN RECESS UNTIL NEXT MARCH.

2. COPIES OF BILLS ARE BEING POUCHED.

COMMENTS: THE PRECEDENT OF THE SENATE BILL 27 SEEMS TO INDICATE THAT THE LIKELIHOOD OF BILL 248 BEING ADOPTED IS SMALL. LIKEWISE, THE OPINION OF THE CHAMBER JUSTICE COMMITTEE THAT BILL 2,291 IS "UNJURIDICAL" WILL CONSIDERABLY WEAKEN THE POSSIBILITY OF IT BEING APPROVED.

3. THE BRAZILIAN PRESS HAS RECENTLY CARRIED ARTICLES BY BRAZILIAN OCEANOGRAPHERS AND ECOLOGISTS ADVOCATING THE BAN ON WHALING IN BRAZIL AND ACCUSING THE BRAZILIAN WHALING FIRM COPESBRA OF HAVING DISRESPECTED THE ARRANGEMENTS NEGOTIATED AT THE LONDON MEETING OF 1975 WHICH STIPULATED A QUOTA OF 642 MINK WHALES FOR BRAZIL IN 1975. ACCORDING TO AN OCEANOGRAPHER OF THE UNIVERSITY OF SAO PAULO, RECENTLY QUOTED BY THE FOLHA DE SAO PAULO, COPESBRA FELT THAT THAT THERE WAS A DISCRIMINATORY TREATMENT OF BRAZIL AND UNILATERALLY DECIDED TO CATCH A GREATER NUMBER OF MINK WHALES THAN THAT ALLOCATED TO BRAZIL AT THE LONDON MEETING. COPEBRAS, ACCORDING TO THE BRAZILIAN SUPERINTENDENCE FOR THE DEVELOPMENT OF FISHING (SUDEPE), CAUGHT 1,059 WHALES IN 1975, I.E., 1038 MINK; 18 SPERM AND HUMPBACK. CRIMMINS

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## Message Attributes

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**Review Markings:**  
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